



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 10, 2022

REQUEST GRANTED.


The Jury Trial previously set for September 12, 2022 is RESCHEDULED to January 30, 2023 at 9:00AM in Courtroom 15C. The previous dates set for motions in limine and any pretrial filings, and the final pretrial conference are adjourned sine die. The Court, with consent of all parties, excludes time from August 11, 2022 until January 30, 2023 pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A), upon a finding that the interest of justice outweighs the interest of the public and the defendant in a speedy trial, in that the time between now and January 30 will permit the parties to continue discussions regarding a potential pretrial resolution of the case.

**BY ECF**

Honorable Lewis J. Liman  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Kung*, 20 Cr. 129 (LJL) 8/11/2022 SO ORDERED.

Dear Judge Liman:

  
LEWIS J. LIMAN  
United States District Judge

The Government writes, with the consent of defense counsel, to request an adjournment of the September 12, 2022 trial date to a date convenient for the Court in the first quarter of 2023, excluding the week of January 9, 2023. The Government further requests that the Court adjourn the motions in limine and pretrial filings schedule, including the final pretrial conference, sine die. The reason for the adjournment is due to the fact that the Government is in active plea discussions with Brian Kung, the only remaining defendant in this case, but does not expect those discussions to be completed within the next few weeks. In the unlikely event that the parties are unable to reach a pretrial resolution in this case, the parties will promptly notify the Court's deputy and request that a renewed motions in limine and pretrial filings schedule be set.

The Government also respectfully requests that the Court exclude time between September 12, 2022, and the new trial date set by the Court, pursuant to 18 U.S.C. § 3161(h)(7)(A). The ends of justice served by granting such exclusion outweigh the best interest of the public and the defendant in a speedy trial, as it will permit the parties to continue discussing a possible pretrial resolution of this case. Defense counsel also consents to the exclusion of time.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/  
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cc: All counsel, Esq. (by ECF)